

COMMISSIONERS APPROVAL

ROKOSCH *JSR*

GRANDSTAFF *ag*

THOMPSON *at*

CHILCOTT *gc*

DRISCOLL *ds*

PLETTENBERG (Clerk & Recorder)

Date.....October 29, 2007

Members Present.....Commissioner Jim Rokosch,
Commissioner Carlotta Grandstaff, Commissioner Alan Thompson and Commissioner
Kathleen Driscoll

Minutes: Beth Perkins

Commissioner Chilcott attended a conference for the Association of Government; Risk
Management Leadership.

The Board met for a Road and Bridge Department update which was continued from
October 17th for discussion of the Recovery Contracts, Lee Metcalf/Wildfowl Land
Proposal, and Nez Perce Road Improvement/Jurisdiction Agreement. Present were Road
and Bridge Department Supervisor Dave Ohnstad and Planner Renee Lemon.

Dave stated the pro rata assessments need better justification. He stated one option would
be a recovery contract or "late comers" agreements. Dave explained how the contracts
work. Dave stated an Assessment District would determine what people would benefit
and noted the assessments aren't effective until the land changes use.

Commissioner Thompson stated this is a viable instrument. For example, Eight Mile or
Middle Burnt Fork Road will have large development. To require one developer to build
the road within county standards, then not require subsequent developers the
responsibility is not fair. Dave also stated one person pays to develop the road then the
county or state maintains it. He stated traffic impact studies are what they should utilize
in order to determine how the recovery contracts are dealt with.

Renee asked Dave if the county had a recovery contract in place and a 40 lot subdivision
was approved and the road built; and then a 50 lot subdivision comes in behind it, would
the original subdivider obtain some reimbursement monies. Dave replied the expense

would not likely be reimbursed due to continuous improvements such as turning lanes, accelerating lanes, etc.

Dave indicated this issue needs to be moved forward and they are seeking to incorporate any changes or comments from the Board.

Commissioner Thompson commented on Renee's question, noting there should be a base amount. Dave stated this type of action has been used in other states such as Washington. He stated the utilities commission deals with this issue on a regular basis with various utility companies.

Commissioner Rokosch stated the county has the additional scenario of developer's paying pro rata shares. Dave stated they would take all of these issues into account and work with legal counsel on the policy, returning to the Board for approval. Renee stated they should look at the threshold and pro rata if they are considering changing the road requirements in the subdivision regulations.

Commissioner Rokosch stated this should be included when they consider revising the subdivision regulations. Dave replied the impacts of the development are not limited to the road. Board discussion followed regarding possible changes. Dave asked Renee to work with him this week in order to develop a comprehensive draft for Board review. Dave added there are different infrastructures to be considered as well.

Dave mentioned the TSEP grant progress. Commissioner Rokosch replied he does not believe there was a resolution adopted to continue with the process. Dave stated he believes Skip Rosenthal and Glenda Wiles had located the resolution. Commissioner Rokosch replied he will consult with Skip and Glenda.

Dave stated the grant application was not approved through the Federal Highway Commission for access to public land and working with Lee Metcalf Refuge to rebuild Wildfowl Lane and pathways (previous discussion on October 11th). Dave stated in a competitive grant environment, the Board needs to urge Montana Congressional Delegation to distribute these monies. Dave gave a copy of the successful applicants to the Board and reviewed those applicants.

Skip Rosenthal joined the meeting. He stated the Board adopted a resolution to move forward in order to apply for the grant but not to approve the contract. Approval for the contract is scheduled for November 5th at 3 p.m.

Dave stated the Federal Highway Commission has strayed from the initial focus of building and operating road systems. Discussion of the federal transportation occurred. Commissioner Rokosch asked Dave if they will re-apply for the next cycle. Dave replied he plans to and he will also consider other projects. Commissioner Grandstaff asked if the projects are numerically scored. Dave replied he believes so.

Dave stated there was a contract with Forest Service for improvements on Nez Perce Road. The improvements were construction and the county was to assume jurisdiction. Now they have submitted the recorded drawings and are requesting final action to accept the road. At some point in time, they will have to address this maintenance issue. There is a question as to the legality of the contract with legal counsel. Dave requested a meeting between the current Board, Forest Service representatives and himself in order to come to an understanding with the existing agreements.

Commissioner Rokosch asked if Dave was comfortable with the contract. Dave replied he worked with Forest Service on the agreement when he first arrived here. He is in agreement with it. He also stated it should be discussed in any upcoming meetings with the Forest Service. A tentative date of November 16th was discussed.

The Board met to address two administrative issues as follows:

- Final Plat approval was requested for Reynolds Lot 1B subdivision. **Commissioner Thompson made a motion to approve the final plat submittal of Reynolds Lot 1B subdivision. Commissioner Driscoll seconded the motion, all voted 'aye'.**
- Minute approval for the month of May. **Commissioner Driscoll made a motion to approve minutes for the month of May 2007. Commissioner Thompson seconded the motion, all voted 'aye'.**